

**Additional NPR Questions  
October 29, 2015**

1. How many exemptions has EPA granted for PCB importation from other countries, and/or businesses in other countries, since 1979?

Since 1979, the EPA has issued ten import exemptions. The four exemptions currently in effect are listed at 40 CFR §761.80 and are included in #4 below; however, companies importing under the §761.80(i) class exemption are not individually listed

2. How many total requests for exemptions has EPA received by companies/countries seeking to export PCBs to the United States?

The EPA has received twenty-four requests for import exemptions.

3. For the exemptions granted, what were the PCBs used for?

The types of exemptions vary from test samples and standards to pigments and large quantities of waste for disposal. Current exemptions granted are indicated at §761.80.

4. For the exemptions granted, what was the quantity of PCBs, date of importation, and names of companies and/or government entities (importer and exporter) involved in the each exemption? Would adding these quantities together equal the total quantity of PCBs imported into the United States since 1979?

The following is a summary list of granted import exemptions, listing the petitioner, the date granted and amount/type requested in the petition. EPA does not track the dates/quantities of individual shipments. See the referenced Federal Register cite for additional information.

1. Dow Corning, 7/10/1984 [49 FR 28154], 7 liters of transformer fluid for analysis. [Expired]
2. American Hoechst, 8/8/1986 [51 FR 28556], pigments with >50 ppm inadvertently-generated PCBs (estimated total of 2.5 pounds of PCBs in the product) [Expired]
3. Unison, 5/22/1990 [55 FR 21023], 1.25 liters/year of transformer fluid for analysis
4. Chemsyn Science Laboratories, 6/27/1998 [59 FR 62788], up to 500 grams PCBs/year for R&D per conditions of §761.80(i) class exemption.
5. Crescent Chemical Co., same as 4 above.
6. EQ Laboratories, Inc., same as 4 above.
7. U.S. Department of Defense/Defense Logistics Agency, 1/31/2003 [68 FR 4934], 91 metric tons of assorted PCB waste (equipment, soil, debris) below 50 ppm concentration from Wake Island. [Expired]
8. DoD/DLA, 1/31/2003 [68 FR 4934], 1952 metric tons of assorted PCB waste (equipment, soil, debris) of all concentrations from Japan. [Expired]
9. DoD/DLA, 9/18/2007 [72 FR 53152], 1,328,482 pounds of assorted PCB waste (equipment, soil, debris) of all concentrations from Japan. [Expired]

10. DoD/DLA, 9/29/2014 [79 FR 58266], 1,014,222 pounds of assorted PCB waste (equipment, soil, debris) of all concentrations from Japan. [Expired]

These ten import exemptions do not represent the total quantity of PCBs imported into the United States since 1979. There are other imported PCBs not reflected by these exemptions. In the past, PCBs were permitted by regulation (without an exemption) to be imported into the United States for disposal. Import of  $\geq 50$  ppm PCBs for disposal was allowed prior to May 1, 1980, and again from July 1, 1996 to July 20, 1997. EPA regulations also permitted the import of  $< 50$  ppm PCBs for disposal until 1998 (EPA does not have total quantities for these waste imports). These figures also do not include any inadvertently generated PCBs at concentrations  $< 50$  ppm that are imported for use as permitted by the regulations

5. Does the EPA track illegal importation of PCBs? If so, how many incidents involved the EPA confiscating illegal PCBs? For each incident, what was the quantity of PCBs confiscated?

EPA does not maintain a tracking system for illegal imports of PCBs. Tips and complaints submitted to EPA by citizens, organizations and businesses are the predominant means of identifying illegal imports. Those tips and complaints are referred to EPA's regional offices, which investigate them and pursue appropriate action as warranted.

6. Of all the PCBs imported before and after 1979, what were the chlorination levels/types of PCBs (My understanding is that 3 million pounds were imported between 1930 and 1975)? What were these PCBs used for?

In 1976, EPA estimated that from 1930 to 1975, 1400 million pounds of PCBs were produced domestically and 3 million pounds of PCBs were imported. EPA has information that 85% of imports from 1972-1975 were decachlorobiphenyls imported from Italy for use in investment casting waxes, and the remaining 15% were in heat transfer fluid imported from France (chlorination level unspecified). See Figure 1.0-1. in the attached report: *PCBs in the United States Industrial Use and Environmental Distribution* (EPA 560/6-76-005). For imports occurring before 1972, EPA has no specific information on chlorination levels/types or uses for imported PCBs. The attached report contains general information on chlorination levels, types and uses for PCBs in the United States prior to 1976.

Use information on imports after 1979 is provided in response to questions 3 and 4.

7. Do any companies hold patents on certain chlorination levels of PCBs, or could any company make any type of PCB (prior to 1979)?

EPA does not have records on patents for PCB commercial products. Domestically, Monsanto was the primary commercial manufacturer of PCBs. Worldwide, a number of companies manufactured PCBs and products with PCBs under various trade names. A list of tradenames from EPA's website is attached.

8. Does EPA know, or have an estimate, of the quantity of PCBs being used A) as authorized uses, and B) as unauthorized uses? Does EPA know these figures from 1979, prior to PCBs being banned?

In 1979, EPA summarized the quantities of PCBs used in PCB activities in a table. See the attached page 31515 from the May 31, 1979 Federal Register [44 FR 31514]. (Additional details on uses are contained in the attached report *PCBs in the United States Industrial Use and Environmental Distribution*.) EPA does not have a current estimate of the quantities of PCBs in authorized or unauthorized uses. PCB Transformers, defined as containing  $\geq 500$  ppm PCB concentration, must be registered per 40 CFR 761.30(a)(1)(vi); as of 2011, 12,457 PCB Transformers were registered with EPA. In 2010, the Utilities Solid Waste Activities Group provided comment to EPA on the 2009-2010 inventory of PCB-containing electrical equipment owned or operated by U.S. electrical utilities. The summary table from USWAG is attached; for additional information, see comment EPA-HQ-OPPT-2009-0757-0199 at [www.regulations.gov](http://www.regulations.gov). EPA considers the remaining authorized uses of higher-concentration liquid PCBs in electrical equipment to be the largest reservoir of PCBs remaining in use.

9. Another question. I just saw this: <http://www.malibusurfsidenews.com/us-rep-ted-lieu-added-malibu-schools%E2%80%99pcb-saga>. What will the EPA do in this instance? Would it fine the school district? Require remediation or require a test? Test the school itself? The Agency has issued the attached letters through its Region IX Office addressing the situation with PCBs in the Malibu public school buildings. These letters provide detailed information regarding that issue.